



**City Council
Regular Meeting
Tuesday, January 18, 2005
7:00 P.M.**

The regularly scheduled meeting of the Trinity City Council was held on Tuesday, January 18, 2005 at the Trinity Memorial United Methodist Church.

MEMBERS PRESENT: Mayor, Jimmy Shore; Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk, Debbie Hinson; City Engineer Randy McNeill; Members of the Press; and other interested parties.

ITEM 1. Call to Order

Mayor Shore called the January 18, 2005 Regular Meeting of the Trinity City Council to order at 7:00 pm.

Pledge of Allegiance

Council member Ewings led the Pledge of Allegiance.

Invocation

The invocation was given by Council member Lambeth.

Welcome Guest and Visitors

Mayor Shore welcomed and thanked all persons in attendance.

After Welcoming guest and visitors, Mayor Shore asked Council to amend the Agenda to add Item 6-A under new business for Contract to Audit Accounts.

Council member Brown made a motion to amend the Agenda to include Amendment to the Contract to Audit Accounts for the City of Trinity as Item 6-A under New Business. Council member Meredith seconded the motion. The motion and second was approved unanimously.

ITEM 2. Review and Approval of Minutes

Mayor Shore called for corrections, additions, or deletions to the December 14, 2004 Pre-Agenda Meeting. With no changes, Mayor Shore called for a motion to approve the minutes.

1. December 14, 2004 Pre-Agenda Meeting

Council member Ewings made a motion to approve the minutes as written. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.

Mayor Shore called for corrections, additions, or deletions to the December 14, 2004 Regular City Council Meeting. With no changes, Mayor Shore called for a motion to approve the minutes.

2. December 14, 2004 Regular City Council Meeting

Council member Ewings made a motion to approve the minutes as written. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.

Public Concerns and Commendations*

Mayor Shore opened the floor to anyone who wished to address Council for items not listed on the Agenda for discussion.

Mr. Bobby R. Beck, 6935 Bridlewood Drive, Trinity, NC; Mr. Beck advised Council he was here tonight to address them on an issues concerning a sewer tap. He asked Council why he had to pay a \$1,000.00 fee for tap installation for sewer in April, 2002 when the sewer was already run to his lot and a tap installed by Mr. Gary Loflin. The City of Trinity did not do anything at all. My plumber hooked my sewer up to the line and he was charged a fee as well.

Mayor Shore advised Mr. Beck that this had been brought to his attention just this week and that he had turned this over to Mr. Stumb, Planning Administrator to investigate. Mayor Shore asked Mr. Stumb if he had been able to track anything down on this item. Mr. Stumb advised Mayor Shore and Council that he had not been able to locate anything in the city records concerning this item.

Mayor Shore advised Mr. Beck that staff was working on this problem and for him to leave his telephone number with Mr. Stumb. Mayor Shore advised Mr. Beck that he believed Mr. Loflin needed to produce records where he paid the tap fee when doing the work.

Mr. Beck advised Mayor Shore that he had a copy of the receipt where he had paid his \$1,000.00 and the receipt was signed by Alan Thornton. Mayor Shore asked Mr. Beck to leave a copy of this receipt with Mr. Stumb. The staff will investigate this further and Mr. Stumb will contact you if you will leave your telephone number with him.

Opening Comments from Members of Council

NONE

Recognition

ITEM 3. Recognition of "Name This Newsletter" Winner

Mayor Shore opened this item and asked Manager Bailie to brief Council and the audience on this item.

Manager Bailie discussed the challenge issued in the first newsletter produced for Trinity. The first newsletter was nameless so we decided to issue a challenge to residents to come up with a name for our newsletter. We had approximately 20 names. At the Pre-Agenda Meeting last Tuesday the City Council voted on the name they wanted to use on the newsletter. The winning name "**Trinity Connection**" was submitted by Diana Schreiber who is our newest employee. We have put together a certificate that we will frame and give to her. Diana had a class tonight and was unable to attend the meeting tonight.

Mayor Shore read the Certificate that was to be presented to Ms. Schreiber (included).

Report

ITEM 4. Randolph County Economic Development Corporation Annual Report (Bonnie Renfro, President)

Mayor Shore opened the item and turned the discussion over to Ms. Renfro.

Ms. Renfro thanked Council for allowing her to present the Annual 2004 Report to them tonight. Ms. Renfro reviewed the handout of the Annual Report and insert by summarizing and highlighting items included in the report. Ms. Renfro discussed development in the Trinity area that included the Prospect Industrial Park as well as the marketing of a building formerly used by Elkhart Rubber that went out of business. She discussed working in partnership with surrounding municipalities and counties in an effort to identify each one's needs.

After Ms. Renfro concluded her presentation, Melissa Foust shared with the Council the work that she does with existing industries. Ms. Foust advised Council that her division made over 215 visits last year. This represents a 35% increase over the previous year. We work hard to position ourselves to be a part of a company supply chain. Our end goal and purpose is to help companies have a competitive advantage in Randolph County and the City of Trinity. One of the new tools that we have identified to help companies with is a State Incumbent Worker Training Grant. This grant is a result of the state securing some federal funds to help companies enhance their training budget. Through this grant companies are eligible for up to \$50,000.00 to support their training needs. This grant is not for companies that are adding jobs, but for companies that are investing in their existing workforce. We have shared this news with several of your Trinity Companies and there is one (1) company that is seriously considering this grant.

Mayor Shore and Council members discussed the different grants and low interest rate loans that are available to assist companies. Ms. Renfro advised Council that this information could be found on their website. There is a link called **business resources** that list all of the grants and low interest loans as well as the contact information.

Ms. Renfro and Council members discussed how municipalities and counties partner to provide an incentive for future or existing business to locate or grow. Ms. Renfro discussed the Thomas Bus project and how the City of Archdale, Randolph County, City of High Point, Guilford County, and the State partnered and worked together in a joint effort to keep Thomas Bus in this area and were successful. In addition there has been a new state law that was enacted by the General Assembly in their last session. It allows for revenue sharing between local governments. If there is an industrial park developed or a large scale industrial project. This is a new tool that will allow governments to partner and share in both revenues and costs.

There was discussion between Council members and Ms. Renfro concerning the Rural Center and their stipulations and criteria. The city may not be eligible to participate but I believe this is a good tool for business in this area. Council members asked Ms. Renfro to forward information on this program to them.

Prior to opening the Public Hearing, Mayor Shore advised Council members and members of the audience that the audit report would not be on the Agenda tonight because the auditors could not get their information ready by tonight to give their report. This item will be handled next month.

Public Hearings**

ITEM 5. Consider Amendments To Zoning Ordinance To Allow For Payment Of A Fee In Lieu Of Land Dedication To Satisfy Open Space Requirements Of Trin-Thom Development Zoning District.

Mayor Shore opened this item and asked Mr. Stumb to address Council.

Mr. Stumb reviewed the handout (included) that described the open space requirement of 1/35 acre per lot, land dedication use for recreational purposes or open space, how the process worked, and an example of the cost to a developer based on total area of 100 acres.

Mr. Stumb advised Council that a request had been made by the developer to accept a fee rather than a land dedication and that a similar request had been made to Thomasville and accepted. As part of the City of Thomasville's Subdivision Ordinance an option is available to the City Council whether to accept a land dedication, a fee or have the open/park space maintained by a homeowners association.

Mr. Stumb directed Council to the handout for the Trin-Thom Development Zoning District section 1-8 (4) Recreation and Open Space. The sections after the 1/35 per acre being Fee In Lieu, Procedure for Approval, Time of Payment, Amount of Payment, and Use of Funds were added.

The last item reviewed was fee values for Colonial Village for both Thomasville and Trinity.

Council member Talbert and Mr. Stumb discussed the amount of 1/35 acre per unit and how the fee was calculated for the units.

Council member Brown discussed comments from the Pre-Agenda meeting concerning this item and asked if this change was for the Trin-Thom Development only. Mr. Stumb and Mayor Shore advised Council this change was for this project only at this time. Council member Brown asked that the record reflect this.

Mayor Shore opened the Public Hearing for anyone who wished to speak in favor of this request,

Mr. Bill Millis, Forest Hill Drive, High Point, NC; Mr. Millis discussed a letter mailed to Council that outlined the developer's position regarding open space. He stated this was the first time since he began building in 1988 that he had been asked to dedicate land or pay money in lieu of the land. He advised Council that he did not know this was a requirement until approximately 6 weeks ago when our engineer advised me I had to pay Thomasville this fee. There was no option to dedicate land. The option in Trinity was to dedicate approximately 2 ½ acres of land which is approximately 10 lots. This would equate to approximately 1.5 million dollars in tax valuation. We want to proceed, however as opposed to dedicating the open space which would require a homeowners association and maintenance of this as well as additional expenses to homeowners, we recommended to Mr. Stumb a fee in lieu of dedication of land.

We feel this is a much better alternative if one or the other has to happen. That is why I am here tonight. We are prepared to offer the fee in lieu of the land. I feel this is a better option.

There was discussion between Council members and Mr. Millis concerning how this was developed in the Ordinance. Mr. Millis advised Council members he was excited about this project and discussed conversations that had taken place between he and representatives of High Point Regional Hospital concerning the possibility of getting a Med-Central to locate on one of the commercial properties in Trinity.

Council member Bridges asked Mr. Millis if he paid the fee in lieu how much of the 2 ½ acres would go back into development. Mr. Millis advised Council that they would not totally lose 10 lots even though some of it was under the power lines. We think we may pick up 3 or possibly 4 lots for development and the other lots will be larger since the other property being discussed is located under the power lines.

With no one else speaking for the request, Mayor Shore opened the Public Hearing to anyone who wished to speak against the request.

Hearing none, Mayor Shore closed the Public Hearing and asked for staff recommendation on the request.

Mr. Stumb advised Council that staff recommended approval of the request to allow fee in lieu of dedication of property.

Mayor Shore opened this request to Council for discussion and or action.

There was considerable discussion between Mayor Shore, Manager Bailie, and Council members concerning when and how this item was added, if the city should accept money from Mr. Millis and not make the same requirement from other developers or whether to accept or require a fee or open space at all. Council members also expressed their desire for more discussion and communication between the two cities concerning any changes or amendments for this development. Council members and Attorney Wilhoit discussed if Mr. Millis fee could be returned if Council decided this was not something they wanted to pursue. Attorney Wilhoit advised Council members that Mr. Millis wanted to move forward with his development and if Council chose at a later date to change this requirement they could take action to refund any fee collected.

There was further discussion among Council members prior to the vote. Council member Talbert discussed his feelings on the requirement for open space. He stated he was pro-active in maintaining open space in large developments. This money would be used for park development somewhere. If this is not supplied by development, then where are the parks going to come from. If we develop all of our property then where will our parks be located?

After conversation between Attorney Wilhoit and Council member Talbert, Council member Talbert rescinded his motion and made the following motion; WHAT WAS THE PREVIOUS MOTION?

Move to make a motion to modify the Trin-Thom Ordinance to accept fee in lieu of open space. Council member Bridges seconded the motion. The motion and second was approved 7 to 1 with Council member Meredith voting Nay.

Directly after the vote Council member Lambeth made a motion that Council look at this Ordinance within the next 3 to 6 months to see if there is something we may do to help that situation or to look at that zoning throughout the city to reflect what had taken place. Council member Ewings seconded the motion.

Mayor Shore called for discussion. Hearing none, Mayor Shore called for a vote on the motion and second.

The motion and second was approved unanimously by all Council members present.

Unfinished Business

None

New Business

ITEM 6. Consider Request By Developer Of Colonial Village To Accept Fee In Lieu Of Open Space Dedication.

By consensus, Council members agreed that the request was granted concurrent with the motion to amend the Trin-Thom Ordinance to accept a fee in lieu of land dedication. The motion had been made by Council member Talbert, seconded by Council member Bridges, and approved by a 7 to 1 vote with Council member Meredith voting nay.

ITEM 6-A. Amendment to the Contract to Audit Accounts for the City of Trinity

Mayor Shore opened the item and asked Manager Bailie to brief Council.

Manager Bailie advised Council this was just received today. The only change in this amended contract is the date in number 6. It has been extended from December 31, 2004 to January 31, 2005. It is required that the board takes action to make this change.

Council member Brown made a motion to approve the amended contract. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.

ITEM 7. Consider cost-sharing agreement to upsize water lines from 12-inch to 16-inch along NC 62 and Budget Amendment and (tentative) budget amendment.

Mayor Shore opened this item and asked Manager Bailie to discuss this.

Manager Bailie advised Council that the Utilities Committee for Archdale was going to recommend to their Council that they pay their fare share of this.

If it is Council's desire I would like approval on the Cost Sharing Agreement as I have proposed which is that Trinity pay the up front costs, and immediately get reimbursed by Davidson Water and the other two (2) entities involved and file for reimbursement of sales tax at the appropriate time. I am also asking that the City Attorney be authorized to work with me to develop the appropriate agreements.

Council members and Manager Bailie discussed the meaning of the word "equipment" as stated. Manager Bailie advised Council that the money would be for pipe or fittings that were installed directly along NC Highway 62. This does not change the agreement number of \$187,000.00 quoted to us by Davidson Water for the upsizing of the pipes.

After discussion, Council member Talbert moved to make a motion to upsize the line to 16", for the manager to work with the City Attorney to prepare agreements, and to accept Budget Amendment. Council member Brown seconded the motion.

City Engineer McNeill discussed why the agreement changed from the original presentation. Once the supplier invoiced Davidson Water for the pipe the sales tax opportunity was lost by Trinity. What Trinity will do is pay for accessories such as fire hydrants, fittings, etc to equal the amount of the pipe in order to get the sales tax refund.

Mayor Shore called for further discussion. Hearing none, Mayor Shore called for a vote.

The motion and second were approved unanimously by all Council members present.

Mayor Shore called for a motion to adopt the Interlocal Agreement and Resolution that allows transfer of high intensity development allocations from Randolph County.

Council member made a motion to adopt the Interlocal Agreement and Resolution that allows transfer of high intensity development allocations from Randolph County. Council member seconded the motion. The motion and second was approved unanimously by all Council members present.

ITEM 8. Consider contract with PTCOG to facilitate development of Citywide Land Development Plan.

After Mayor Shore opened this item, Manager Bailie discussed with Council the presentation given at the Pre-Agenda by Paul Kron. Manager Bailie stated she fully supported this plan. Our growth is expected to be tremendous over the next decade. I believe we need a Land Use Plan in order to base our zoning decisions on a legal document.

Manager Bailie and Council members discussed the amount of the contract. Manger Bailie advised Council that \$30,000.00 was approved in the current budget for a Land Use Development Plan. Mr. Kron has proposed a "not to exceed price" of 40,560.00. This would be split out over two (2) different fiscal years.

Council member Bridges made a motion to approve entering a contract with **PTCOG to facilitate development of Citywide Land Development Plan. Council member Talbert seconded the motion.**

Prior to the vote Council members discussed possible savings as discussed at the Pre-Agenda by utilizing staff resources and current sewer maps. Manager Bailie advised Council members that she felt this could be done even if the contract was approved. I would like to move forward on this. One of the reasons that we are getting the price quoted is they would like to piggy-back our project with a road by-pass project being completed in Asheboro. Attorney Wilhoit advised Council if they so desired they could make their motion that expenditures not exceed a certain amount and authorize the City Manager to negotiate.

After further discussion, Council member Bridges rescinded her original motion and made a motion that the City enter into a contract with PTCOG not to exceed 10,000.00 for this fiscal year. Council member Talbert agreed to the rescinded motion and seconded the new motion. The motion and second was approved unanimously by all Council members present.

ITEM 9. Consider Interlocal Agreement And Resolution That Allows Transfer Of High Intensity Development Allocations From Randolph County.

After Mayor Shore opened the item, Manager Bailie referred to discussion at the Pre-Agenda. This is something that Randolph County made available to other municipalities located in their jurisdiction in 1994. It gives the municipalities the opportunity to access some of Randolph County's high density allocation if they need it. Mr. Hal Johnson called and asked if Trinity would like to take advantage of this. This is something that we do not need at this time; however it will put in place another tool we can use when we need it.

Mayor Shore called for a motion to adopt the Interlocal Agreement and Resolution that allows transfer of high intensity development allocations from Randolph County.

Council member Ewings made a motion to adopt the Interlocal Agreement and Resolution that allows transfer of high intensity development allocations from Randolph County. Council member Brown seconded the motion. The motion and second was approved unanimously by all Council members present.

ITEM 10. Closed Session Pursuant To NCGS 143-318.11(6) To Evaluate Performance Of City Manager

Mayor Shore called for a motion to go into Closed Session pursuant To NCGS 143-318.11(6) to evaluate Performance of City Manager

Council member Brown made a motion to go into Closed Session pursuant to NCGS 143-318.11(6) to evaluate performance of City Manager. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.

After returning from Closed Session, Mayor Shore called for a motion to return to Regular Session.

Council member Ewings made a motion to return the meeting back to Regular Session. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.

After returning to Regular Session, Council member Lambeth made a recommendation on behalf of the Personnel Committee to increase Manager Bailie's salary 5%, give COLA in July and annual review one (1) year from now.

Mayor Shore asked if this was a motion to accept recommendation.

Council member Lambeth made the motion to increase Manager Bailie's salary by 5%, give the COLA in July, and perform annual review for Manager Bailie one (1) year from now. Council member Brown seconded the motion. The motion and second was approved unanimously.

Business from Mayor and Council

Economic Development Agreement with Thomasville

Mayor Shore discussed the need to meet with Thomasville concerning the economic development agreement with Thomasville and appoint two (2) members to the Technical Advisory Committee.

This has previously been the City Manager and I.

Council members discussed their desire to have a voting member of Council on the Advisory Committee.

Manager Bailie advised Council that the agreement called for each jurisdiction to appoint two (2) members to a Technical Advisory Committee the purpose of which shall be to ensure equitable and appropriate development of said property as referred to in this agreement.

After further discussion, Council member Bridges made a motion to point Council member Talbert and Manager Bailie to the Technical Advisory Committee and to authorize Manager Bailie to set up a meeting for review between the Technical Advisory Committees of each city. Council member Brown seconded the motion. The motion and second was approved unanimously by all Council members present.

Business from City Manager

Manager Bailie reminded Council of the Planning Conference to be held on Thursday, and the Annual City Retreat to be held on Saturday, January 29, 2005 at the Radisson in High Point. Breakfast will be served from 8:30 to 9:00 with the Retreat beginning at 9:00 a.m.

Manager Bailie discussed the handout in regards of the MIT. There are approximately 5 Trinity projects located on this handout. She advised Council she would be happy to write a letter of support if so directed.

After discussion, it was the Consensus of Council that Manager Bailie writes a letter of support for the projects listed in Trinity.

Adjournment

With no other business to discuss, Mayor Shore called for a motion to adjourn the January 18, 2005 meeting of the Trinity City Council.

Council member Ewings made a motion to adjourn. Council member Talbert seconded the motion. The motion and second was approved unanimously.